

App. No. 09/857752
Office Action Dated April 20, 2004
Amd. Dated August 20, 2004

REMARKS

Reconsideration is respectfully requested in view of the above amendments and following remarks. Claim 27 is hereby amended editorially. No new matter has been added. Claims 27-31 are pending.

As claims 32-38 depend either directly or indirectly from claim 27, applicants respectfully request claims 32-38 be reinstated if claim 27 is found allowable.

Claim rejections - 35 U.S.C. § 102

Claims 27, 29 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Owen et al. (EP 0 245 969). Applicants respectfully traverse the rejection.

Claim 27 teaches a method of preparing a tissue block for sectioning by encasing the tissue block in a tissue embedding. The tissue block is provided with reference positions for use in a method of cutting the tissue block. The tissue block is placed with a predetermined position and then simultaneously sliced into multiple sections. The tissue block is received on a support surface of an apparatus in which the apparatus is used for cutting the tissue block in slices with a predetermined orientation for obtaining a direct correlation to CT, MR and PET images. The method for preparing the tissue block includes filling a moulding with non-toxic biologically inert polymer moulding material where the mould has at least one reference surface. Furthermore, the tissue block is positioned in the polymer moulding material in a predetermined position relative to at least one reference surface while the moulding material is in a soft state.

Owen discloses a cassette for holding a tissue specimen, which comprises a body portion (10) with a separable portion (12) and a base portion (14). The separable portion (12) snaps together with the body portion (10) to enclose a specimen (42) in a mould

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space of the cassette (54), the separable portion (12) and the base portion (14). The specimen (42) is further positioned/orientated between the separable portion (12) and the base portion (14). While the specimen (42) is held in place between the separable portion (12) and base portion (14), molten paraffin wax surrounds and embeds the specimen. The cassette is then cooled to allow solidification of the wax.

Owen fails to teach or suggest a method of preparing a tissue block for sectioning in which the tissue block is encased in a tissue embedding where the tissue block is positioned in the tissue embedding with a reference and predetermined orientation for slicing. Owen only teaches the preparation of a tissue block in which a tissue is sandwiched between two plates and embedded in a paraffin wax to form a tissue block, where the separable portion (12) is removed after solidification of the wax and the embedded specimen remains on the base portion (14) of the cassette. Furthermore, Owen fails to teach or suggest how a tissue block is encased in an embedding tissue where the embedding tissue is a non-toxic biologically inert polymer moulding material, the tissue block being positioned in the polymer moulding material in a predetermined position relative to at least one reference surface while the moulding material is in a soft state, in which the tissue block is orientated prior to sectioning with the orientation of the tissue block being directly correlated to CT, MR and PET images. Therefore, Owen fails to teach or suggest a method for positioning/orientating a tissue block for sectioning embedded in a non-toxic biologically inert polymer moulding material. Thus, Owen fails to anticipate claim 27. Withdrawal of the rejection is respectfully requested.

Claims 29 and 30 depend from claim 27. For the reasons discussed above for claim 27, withdrawal of the rejection is respectfully requested.

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Claim rejections - 35 U.S.C. § 103

Claims 27-31 are rejected under 35 USC 103(a) as being unpatentable over Owen et al. (EP 0 245 969). Applicants respectfully traverse the rejection.

In view of the above comments, Owen fails to render claim 27 obvious.

Withdrawal of the rejection is respectfully requested.

Claims 28-31 depend from claim 27. For the reasons discussed above for claim 27, withdrawal of the rejection is respectfully requested.

In view of the above, favorable reconsideration in the form of a notice of allowance is requested. Any questions or concerns regarding this communication can be directed to the undersigned attorney, John J. Gresens, Reg. No. 33,112, at (612)371.5265.

Respectfully submitted,

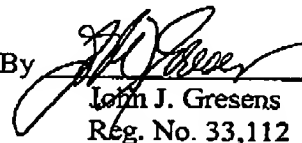
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Dated: August 20, 2004

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